

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
PINE BLUFF DIVISION**

**JAMES MUNSON
ADC # 112106**

PLAINTIFF

VS.

NO. 5:02CV00364

LARRY NORRIS, et. al.

DEFENDANTS

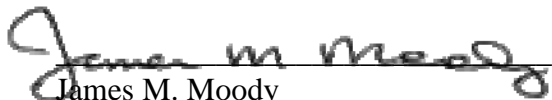
ORDER

Pending is Plaintiff's motion in limine seeking to preclude the Defendants from mentioning, in the trial of this case, the offense for which the Plaintiff was convicted, the underlying facts upon which the conviction was based and the facts contained in the Prosecutor's report utilized by the Reduction of Sexual Victimization Program ("RSVP"). One of the central issues in this case involves Plaintiff's removal from the RSVP program. Plaintiff claims that he was removed for his refusal to recite the Twelve-Step prayer. Defendants contend he was removed because he refused to admit to criminal wrongdoing, he repeatedly blamed the victim in his case, and he refused to earnestly participate in treatment. Plaintiff claims that the requirement of reciting the prayer violated his First Amendment rights, Defendants state that the RSVP program is a voluntary program and Plaintiff was not required to recite the serenity prayer.

Because Plaintiff's removal from the RSVP program is a central issue in the case, the Court finds the evidence relating to Plaintiff's underlying conviction relevant. Further, any potential prejudice resulting from the admissibility of this evidence can be cured by a limiting instruction.

Accordingly, Plaintiff's motion in limine is denied.

IT IS SO ORDERED this 16th day of November, 2007.


James M. Moody
United States District Judge